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19.04.2024
Ct. No. 15
adeb

CPAN 85 of 2024

In

W.P.A. 8912 of 2022

IA No. CAN 2/2023

IA No. CAN 3/2024

Kalisankar Bose & Ors.

Vs.

**Avani Pal Singh, The District Judge,
North 24 Parganas**

Ms. Pampa Dey Dhabal

...for the applicants

Mr. Biswabrata Basu Mallick

Ms. Parna Roy Chowdhury

...for the alleged contemnor

In the contempt application applicants complain of violation of the order dated 11th August, 2023 passed by a coordinate Bench on the connected writ petition. Today, on behalf of the alleged contemnor affidavit-of-compliance is filed which is affirmed on 18th April, 2024 and the same is taken on record.

However, Ms. Pampa Dey Dhabal, learned advocate representing the applicants disputes compliance of the direction as contained in the order dated 11th August, 2023.

On perusal of the order dated 11th August, 2023 it appears that committee constituted vide order dated 22nd December, 2020 would furnish a report within specified time and on receipt of such report the entitlement of the applicants to the revised pension and other benefits including arrears of salary needs to be computed and

released to the applicants within three months thereafter. In the compliance report though the necessary documents have not been annexed, but the exercise made by the alleged contemnor as contained in the orders dated 8th April, 2024 are placed before this Court and the same are perused.

It appears that steps have been taken by the alleged contemnor for fixation of pay of the applicants. It is also submitted on behalf of the alleged contemnor that payment has been made to the applicants based on the fixation made pursuant to the order passed by the coordinate Bench. Copies of the orders dated 8th April, 2024 are made over to the learned advocate representing the applicants in course of hearing.

On perusal of the affidavit-of-compliance and in consideration of the steps taken by the alleged contemnor by issuing orders dated 8th April, 2024 relating to fixation of pay of the applicants it appears that the order passed by the coordinate Bench dated 11th August, 2023 stands complied with and accordingly the contempt proceeding stands dropped. Contempt application is disposed of.

However, if the applicants are not satisfied with the fixation of pay as made by the alleged contemnor which is reflected from the orders dated 8th April, 2024 it will be open to the applicants to take steps in accordance

with law against such fixation made by the alleged contemnor.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)